

INVITATION TO BID

Separate sealed bids for construction of the Nilan North Dam Outlet Replacement will be received by the Montana Department of Natural Resources and Conservation (DNRC) at the Fred Buck Conference Room of the Montana Department of Natural Resources and Conservation, 1424 9th Avenue, Helena, Montana, 59620-1601, Attention: Kenneth Phillips, PE until 3:00 p.m. local time on June 20, 2007 and then publicly opened and read aloud. Bids will not be accepted from prime BIDDERS who did not attend the mandatory Pre-Bid Conference. All interested parties are invited to attend the bid opening.

The project consists of a general contract for the removal and replacement of the terminal outlet structure on the North Dam. The dam, which is located in Lewis & Clark County, is owned by the DNRC and is operated and maintained by the Nilan Water Users Association. Nilan Dam is located approximately 8 miles west of Augusta, Montana.

Bids shall be on extended lump-sum and unit-price basis, and the award will be based on the lowest total extended Bid Price of the lowest, responsive, responsible, and qualified BIDDER as determined by DNRC. One contract will be awarded for the Work. Bidders shall bid on all items in the Price Schedule in the Bid Form.

The Project is to be substantially complete within 90 calendar days from the date of the Notice to Proceed.

DNRC will hold a Pre-Bid Conference starting at 10:00 a.m. local time on June 12, 2007 at the Nilan Reservoir Fishing Access Site near Augusta, Montana. The Pre-Bid Conference will include a site visit at the outlet structure following the meeting.

The contract documents consisting of Drawings and Project Manual may be examined or obtained at the DNRC Water Resources Office at 1424 9th Ave, Helena MT 59620-1601, Phone (406) 444-6646 in accordance with Article 2.01 of Instructions To Bidders. Required deposit is \$25.00 per set, which is not refundable. For information or questions regarding the project, please call DNRC. at (406) 444-6646.

In addition, the Drawings and Project Manual may also be examined at the following locations: Montana Contractor's Association, Helena, Builder's Exchange, Bozeman, Billing Builders Exchange, Missoula Plans Exchange, Butte Builders Exchange, Great Falls Builders Exchange, Northwest Plans Exchange.

Contractors and any of the Contractor's subcontractors doing work on this project will be required to obtain registration with the Montana Department of Labor and Industry (DLI). Forms for registration are available from the Department of Labor and Industry, P.O. Box 8011, 1805 Prospect, Helena, Montana 59604-8011. Information on registration can be obtained by calling 1-406-444-7734. Contractor is not required to have registered with the DLI prior to bidding on this project, but must have registered prior to execution of the Construction Agreement.

All laborers and mechanics employed by Contractor or subcontractors in performance of the construction work shall be paid wages at rates as may be required by the laws of the state of Montana. The Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

Bid Security in the amount of ten percent (10%) of the Bid must accompany each Bid in accordance with the Instructions to Bidders. Bids not accompanied by said Bid Security will be rejected. Successful Bidders shall furnish an approved Performance Bond and a Labor and Materials Payment Bond, each in the amount of one hundred percent (100%) of the contract amount. Insurance as required shall be provided by the successful Bidder(s) and a certificate(s) of that insurance shall be provided.

The right is reserved to reject any or all proposals received, to waive informalities, to postpone the award of the contract for a period of not to exceed sixty (60) days, and to accept the lowest responsive, responsible and qualified Bidder which is in the best interest of the DNRC.

The Contractor is required to be an Equal Opportunity Employer.